

IN THE DRAWINGS

The attached sheets of drawings include changes to legends of Figs. 8-12C. These sheets, which include Figs. 8-12C, replace the original sheets including Figs. 8-12C.

Attachment: Replacement Sheets

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the present amendment and following discussion, is respectfully requested.

Claims 1-15 are pending. Claims 1-13 are amended. Support for the amendments to independent Claims 1, 4, 8, and 10 can be found in the published application in numbered paragraphs [0043]-[0044] and in Fig. 2 and in Fig. 4A, for example. Support for the amendments to Claims 2, 3, 5-7, 9, and 11-13 is self-evident. Support for newly added Claims 14 and 15 can be found in Fig. 4A, for example. Figs. 8-12C are amended to include legends. The Abstract is amended to address minor informalities. No new matter is added.

In the outstanding Office Action, the Abstract was objected to as including more than a single paragraph. The drawings were objected to as not including proper legends for Figs. 8-12C. Claims 3, 7, 9, and 11-13 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite. Claims 1, 2, 4-6, 8, and 10 were rejected under 35 U.S.C. § 102(b) as anticipated by Background Art Figs. 8, 9, 10, 11, 12A, 12B, and 12C ("Background Art."). Claims 3, 7, 9, 11, 12, and 13 were rejected under 35 U.S.C. § 103(a) as obvious over Background Art.

Regarding the objection to the Abstract, the Abstract is amended to include only a single paragraph. Accordingly, Applicants respectfully submit that the objection to the Abstract is overcome.

Regarding the objection to Figs. 8-12C as not including a proper legend, replacement sheets including Figs. 8-12C are submitted herewith including legends reciting "Related Art." Accordingly, Applicants respectfully submit that the objection to the drawings is overcome.

Regarding the rejection of Claims 3, 7, 9, and 11-13 as lacking antecedent basis for the feature "headphone housings," Claims 3, 7, 9, and 11-13 are amended to address the antecedent basis issue. Accordingly, Applicants respectfully submit that the rejection of Claims 3, 7, 9, and 11-13 is overcome.

Regarding the rejection of Claims 1, 2, 4-6, 8, and 10 as anticipated by the Background Art and the rejection of Claims 3, 7, 9, 11, 12, and 13 as obvious over the Background Art, those rejections are respectfully traversed by the present response.

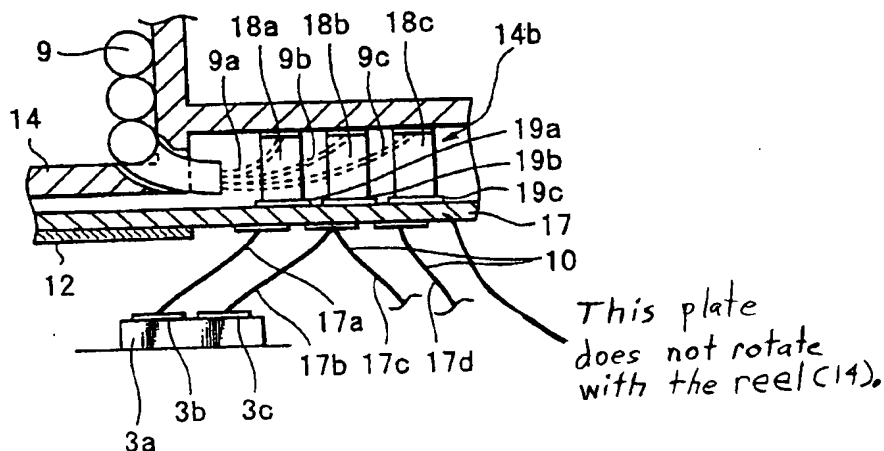
Amended independent Claim 1 recites, in part:

contact points provided in said headphone housing; and
a terminal board provided in said reel and fixedly
coupled to said reel so as to turn relative to the pivot as the reel
turns relative to the pivot, which terminal board includes metal
slip rings.

Accordingly, the terminal board is fixedly coupled to the reel and turns as the reel turns.

One benefit of the above-noted arrangement is that brush terminals do not have to be welded or soldered onto a very thin reel mechanism, which can be technically difficult. These difficulties are discussed in the published application, for example, in numbered paragraph [0016].

In contrast, in all of the Background Art figures, the terminal board (17), which is cited in the outstanding Office Action for the recited terminal board, is fixedly attached to a housing and therefore does not rotate with the reel (14).



As shown in annotated Background Fig. 10 above, the terminal board (17) is wired to the terminals (3a), (3b), and (3c) and cannot rotate with the reel (14). Accordingly, Applicants respectfully submit that amended independent Claim 1 and each claim depending

therefrom patentably distinguishes over the Background Art for at least the reasons discussed above.

Each of amended independent Claims 4, 8, and 10 recites substantially similar features to those discussed above regarding amended independent Claim 1, and Applicants respectfully submit that amended independent Claims 4, 8, and 10 and the claims depending therefrom patentably distinguish over the Background Art for at least the reasons discussed above regarding amended independent Claim 1.

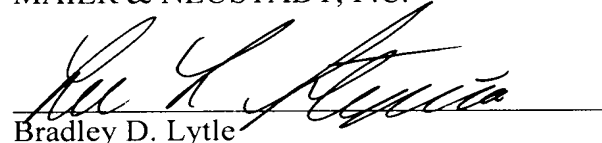
Newly added dependent Claim 14 recites that the headphone apparatus includes brush contact points fixedly coupled to the headphone housing. In contrast, the Background Art shows the brush contact points connected to the reel, which rotates relative to the housing. Accordingly, Applicants respectfully submit that newly added dependent Claim 14 further patentably distinguishes over the background art figures for at least the reasons discussed above.

Newly added dependent Claim 15 recites that the headphone apparatus includes brush contacts disposed on two opposite sides of an axis of rotation of the reel. In contrast, as shown in Figs. 9 and 10, the brush contacts (18A-C) are disposed only on a single side of the axis of rotation of the reel (14). Accordingly, Applicants respectfully submit that newly added dependent Claim 15 further patentably distinguishes over the Background Art for at least the additional reasons discussed above.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Bradley D. Lytle", is written over a horizontal line.

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